
Publish date:
5/18/2015

WQC number: 863-0311-WQC-1

Public Notice

Closing Date:
6/16/2015

This letter serves as the formal notice of the receipt of an application for a Section 401 Water Quality Certification by the Kentucky Division of Mine Permits (KDMP). The purpose of this notice is to inform the public of active applications awaiting certification under Section 401 of the Clean Water Act (33 U.S.C. § 1341) and to solicit comments and information on any impacts to water quality as it related to the specific project. DMP will evaluate whether the project complies with Kentucky's water quality standards.

The comment period will run for 30 days, as is indicated in the upper portion of this notice. Any person who wishes to comment or receive information pertaining to the pending WQC application, must contact the WQC coordinator at 502 564-2320, or submit comments to: Water Quality Certification 2 Hudson Hollow, Frankfort KY 40601, within the 30 day comment period. All comments will be reviewed and water quality issues will be considered during the review process.

The public may review the detailed Compensatory Mitigation Plan at the Division of Mine Permits office at: #2 Hudson Hollow Frankfort, KY 40601

COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
DEPARTMENT FOR NATURAL RESOURCES
DIVISION OF MINE PERMITS

APPLICATION FOR WATER QUALITY CERTIFICATION
FOR SURFACE COAL MINING ACTIVITIES

The Clean Water Act Section 401 Water Quality Certification (WQC) program in Kentucky ensures that activities which may involve a discharge into waters of the State which require federal permit or license are consistent with Kentucky's water quality standards found in 401 KAR Chapter 5. The Environmental and Public Protection Cabinet has authorized the Department for Natural Resources to issue water quality certifications related to surface coal mining operations. The project may not start until all necessary approvals are obtained. For questions concerning the WQC process, contact the WQC Coordinator at 502/564-2320.

1. OWNER:

B&W Resources, Inc

Give name of person(s), company, governmental unit, or other owner of proposed project.

MAILING ADDRESS:

300 Liperote Way

London, Ky 40741

TELEPHONE #: 606-599-8227

EMAIL: rl@bwcoal.com

2. AGENT:

Give name of person(s) submitting application, if other than owner.

ADDRESS:

TELEPHONE #: _____

EMAIL: _____

3. CONSULTANT Nick Baker, Aquatic Resources Management

TELEPHONE #: 859-388-9595

EMAIL: nbaker@aquaticresources.us

4. DESCRIPTION OF CONSTRUCTION:

Surface remining.

Describe the type and purpose of construction and describe stream impact

5. COUNTY: Laurel NEAREST COMMUNITY: _____

6. USGS QUAD NAME: Blackwater

LATITUDE/LONGITUDE: 37-1-45/-83-57-30

7(a). STREAM NAME (List all stream reaches affected):

See Attachment.

WATERSHED SIZE (above the toe of permanent structure for each stream reach) in acres:

No permanent Structures Proposed

LINEAR FEET OF EACH STREAM IMPACTED (including flow regimes):

See Attachment.

7(b). WETLANDS (Provide acreage of wetlands impacted): See Attachment.

8. DIRECTIONS TO SITE:

0.56 Miles northeast of the intersection of KY 830 and KY 229 in Laurel County KY.

9. HAS AN APPLICATION FOR A CORPS OF ENGINEERS 404 PERMIT BEEN SUBMITTED?

☒ Yes ☐ No TYPE OF PERMIT: NW 14 ☐ NW 21 ☐ NW 49 ☒ Individual ☐

10. DNR (SMCRA) Permit No. 863-0311 and KPDES No. KYG046782 are associated with this mining activity.

11. LIST OF ATTACHMENTS: List plans, profiles, or other drawings and data submitted. Attach a copy of a 7.5 minute USGS topographic map clearly showing the project location.

7.5 Minute USGS topographic map and MRP map of the project.

I hereby request approval for construction across or along a stream as described in this application and any accompanying documents. To the best of my knowledge, all the information provided is true and correct.

SIGNATURE:



Owner or Agent sign here. (If signed by Agent, a Power of Attorney should be attached.)

DATE:

7/17/14

SUBMIT APPLICATION AND ATTACHMENTS TO:

WQC Coordinator
Division of Mine Permits
2 Hudson Hollow
Frankfort, KY 40601



Impact Resource Summary Table

WATERSHED STREAM ID	CONDUCTIVITY	FIELD ASSESSMENT SCORE	EII	IMPACT LENGTH	EIU	WATERSHED ACREAGE	STREAM/ WETLAND AREA (ac)	IMPACT REACH
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Permit: 863-0311

Resource Impacted: Stream

Impact Duration: Temporary

Impact Type: Mine Through

STREAM FLOW REGIME: Ephemeral

EPH 03	303	78	0.33	170	56.1	14.31	0.0078	UT to Little Robinson Creek
EPH 05	303	120	0.43	54	23.22	3.54	0.0025	UT to Little Robinson Creek
EPH 10	284	66	0.36	69	24.84	2.56	0.0032	UT to Little Robinson Creek
EPH 11	303	113	0.4	141	56.4	2.87	0.0065	UT to Little Robinson Creek
EPH 12	303	113	0.4	254	101.6	3.12	0.0117	UT to Little Robinson Creek
Mine Through Ephemeral Impact Totals:				688	262.16		0.0316	

STREAM FLOW REGIME: Intermittent

INT 01	303	90	0.33	579	191.07	22.58	0.0266	UT to Little Robinson Creek
INT 02	284	85	0.36	190	68.4	8.76	0.0044	UT to Little Robinson Creek
INT 03	230	86	0.44	157	69.08	2.47	0.0018	UT to Little Robinson Creek
Mine Through Intermittent Impact Totals:				926	328.55		0.0328	

Total Stream Impacts: 1,614 590.71 0.0644

Resource Impacted: Wetland

Impact Duration: Permanent

Impact Type: Mine Through

STREAM FLOW REGIME: Emergent

Wetland A							0.1600	UT to Little Robinson Creek
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WATERSHED STREAM ID	CONDUCTIVITY	FIELD ASSESSMENT SCORE	EII	IMPACT LENGTH	EIU	WATERSHED ACREAGE	STREAM/ WETLAND AREA (ac)	IMPACT REACH
Wetland B							0.5600	UT to Little Robinson Creek
Wetland C							0.5200	UT to Little Robinson Creek
Wetland D							0.1500	UT to Little Robinson Creek
Wetland E							0.0700	UT to Little Robinson Creek
Wetland F							0.0800	UT to Little Robinson Creek
Wetland G							0.2900	UT to Little Robinson Creek
Wetland H							0.7600	UT to Little Robinson Creek
Wetland I							0.1000	UT to Little Robinson Creek
Wetland J							0.0050	UT to Little Robinson Creek
Wetland K							0.2800	UT to Little Robinson Creek
Wetland L							0.0500	UT to Little Robinson Creek
<u>Wetland Emergent Impact Totals:</u>							<u>3.0250</u>	
Total Wetland Impacts:							<u>3.0250</u>	

